

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:18-cr-00142-MR-WCM

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                            O R D E R  
                                  )  
DAVID JOE GARCIA,            )  
                                  )  
Defendant.                    )  
                                  )

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**THIS MATTER** is before the Court on the Defendant's Motion to Suppress [Doc. 8]; the Magistrate Judge's Memorandum and Recommendation regarding that motion [Doc. 24]; and the Defendant's Objections to the Memorandum and Recommendation [Doc. 25].

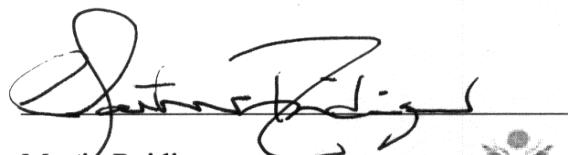
On February 14, 2019, the Honorable W. Carleton Metcalf, United States Magistrate Judge, conducted an evidentiary hearing on the motion to suppress. On July 8, 2019, the Magistrate Judge issued a Memorandum and Recommendation, recommending that the motion to suppress be denied. [Doc. 24]. The Defendant timely filed Objections to the Memorandum and Recommendation on July 22, 2019. [Doc. 25].

Upon conducting a *de novo* review of the Memorandum and Recommendation, the Court finds that the Magistrate Judge's proposed findings of fact are correct and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby overrules the Defendant's Objections and accepts the Magistrate Judge's recommendation that the Defendant's Motion to Suppress should be denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's Objections [Doc. 25] are **OVERRULED**; the Magistrate Judge's Memorandum and Recommendation [Doc. 24] is **ACCEPTED**; and the Defendant's Motion to Suppress [Doc. 8] is **DENIED**.

**IT IS SO ORDERED.**

Signed: August 5, 2019



Martin Reidinger  
United States District Judge

